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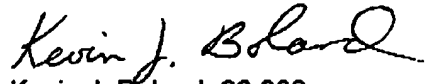
Applicant claims, among other things, footwear with an upper and a sole construction having an outsole in which the upper is constructed with an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the outer material and having an upper end region on the sole side with an outer-material end region and a functional-layer end region, the outsole is joined to the upper end region, the functional-layer end region has an edge region which is not covered by the outer-material end region and an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state is applied to the edge region.

Applicant respectfully submits that Haimerl fails to disclose at least the claimed functional-layer end region having an edge region which is not covered by the outer-material end region. Moreover, the combination of Haimerl with either Nowicki or Muller fails to disclose or suggest at least the above referenced claim element. Accordingly, Applicant submits that this rejection should be withdrawn.

In view of the above remarks, Applicant respectfully requests a favorable action on the merits.

Should the Examiner have any questions, the Examiner is invited to telephone Applicant's undersigned representative.

Respectfully submitted,



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